

**Amendment and Response under 37 C.F.R. 1.116**

Applicant: Kas Kasravi et al.

Serial No.: 10/766,308

Filed: January 27, 2004

Docket No.: 200901335-1

Title: SYSTEM AND METHOD FOR COMPARATIVE ANALYSIS OF TEXTUAL DOCUMENTS

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**REMARKS**

The following remarks are made in response to the Final Office Action mailed August 10, 2009. Claims 33 and 35 are allowed. Claims 1-3, 6, 7, 10-14, 16-21, 23, 24, 26-31, 34, 36-40 were rejected. With this Response, claims 1, 14, and 34 have been amended. Claims 1-3, 6, 7, 10-14, 16-21, 23, 24, 26-31, and 33-40 remain pending in the application and are presented for reconsideration and allowance.

The Final Office Action included a rejection under 35 U.S.C. 101 and a rejection under 35 U.S.C. 102(a). Applicant concurrently submits a Notice of Appeal, and also submits this Response to present claims 1, 14, and 34 in better form for consideration on appeal as permitted under 37 C.F.R. 1.116(b). Further, as shown below, the amendments to claims 1, 14, and 34 comply with a suggestion specifically set forth in a previous Office Action, as analogous to 37 C.F.R. 1.116(a). Applicant respectfully requests that the present amendments to claims 1, 14, and 34 be entered to remove the rejection under 35 U.S.C. 101 and to place the application in better form for appeal.

**Claim Rejections under 35 U.S.C. § 101**

In the Office Action, claims 1, 2, 3, 6, 7, 10-14, 16-21, 34, and 36-40 were rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Claims 1, 14, and 34 are independent claims. Claims 2, 3, 6, 7, 10-13, 36, and 37 depend from claim 1. Claims 16-21 and 38-40 depend from claim 2. No claims depend on claim 34.

The Office Action mailed on February 4, 2009, included a suggestion to overcome the rejection under 35 U.S.C. 101. More particularly, the Office Action of February 4, 2009, states at page 3,

Claims 1, 2, 3, 6, 7, 10-14, 16-21, 34 and 36-40 do not identify the apparatus that accomplishes the method steps like “processing the semantic vector by a digital computer” described in page 12, paragraph 36, last three lines of the specification. Thus, claims 1, 2, 3, 6, 7, 10-14, 16-21, 34 and 36-40 do not define a statutory process.

With this Response, Applicant has incorporated the Examiner’s suggested amendment of a “processing by a digital computer” into independent claims 1, 14, and 34. Accordingly, Applicant respectfully requests that the rejection of claims 1, 2, 3, 6, 7, 10-14, 16-21, 34, and

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36-40 under 35 U.S.C. 101 be withdrawn. Also, because independent claim 34 has no other prior art rejection, Applicant respectfully requests that claim 34 be allowed.

**Allowable Subject Matter**

The Office Action allowed claims 33 and 35.

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**CONCLUSION**

In view of the above, Applicant respectfully requests withdrawal of the rejection of claims 1, 2, 3, 6, 7, 10-14, 16-21, 34, and 36-40 under 35 U.S.C. 101, and allowance of claim 35. Applicant respectfully submits that the remaining pending claims 1, 2, 3, 6, 7, 10-14, 16-21, 23, 24, 26-31 and 36-40 are in better form for appeal of the rejection based on 35 U.S.C. 102 (a).

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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Date: November 10, 2009

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